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July 15, 2009

U.S. Patent & Trademark Office  
Trademark Trial & Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

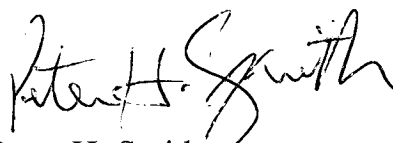
78/ 229,875

Re: Opposition No. 91162780 and Counterclaim for Cancellation  
Applicant/Petitioner: Keith Cangiarella  
Opposer/ Respondent: Message In A Bottle, Inc.

Ladies/Gentlemen:

I am enclosing the original and one copy of the first page of a Notice of Reliance in the above-referenced opposition. Please file the original and return the first page of the copy to me, marked with your filing stamp.

Very truly yours,

  
Peter H. Smith

PHS/lmb  
Enclosures

cc: Mr. Roger Rojas, Message In A Bottle, Inc.



07-17-2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Trademark  
Application Serial No. 78/229,875  
Mark: MESSAGE IN A BOTTLE

MESSAGE IN A BOTTLE, INC.,  
a California corporation,  
Opposer,

v.

KEITH CANGIARELLA,  
Applicant.

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In the Matter of Trademark  
Registration No. 2,243,269  
Mark: MESSAGE IN A BOTTLE

KEITH CANGIARELLA,  
Petitioner,

v.

MESSAGE IN A BOTTLE, INC.,  
Respondent.

Opposition No. 91162780 and  
Counterclaim for Cancellation

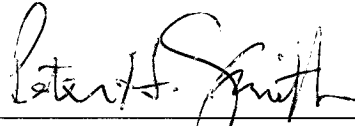
Patent and Trademark Office  
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P.O. Box 1451  
Alexandria, VA 22313-1451

**NOTICE OF RELIANCE**

Notice is hereby given that the party identified below will rely on evidence previously introduced as part of its Notice of Reliance filed herein March 31, 2008, and as part of the transcript of testimony of Roger Rojas filed herein April 16, 2008, and the exhibits thereto, as said party's evidence as defendant in the counterclaim

herein, and also for said party's rebuttal as plaintiff in the opposition, all said evidence having been submitted herein during the testimony period for plaintiff in the opposition.

Dated: July 15, 2009



PETER H. SMITH

Attorney for Opposer Message In A  
Bottle, Inc.

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*Certificate of Service*

I hereby certify that a copy of the foregoing NOTICE OF RELIANCE was mailed first-class mail, postage prepaid, to Applicant Keith Cangiarella, in propria persona, at 331 N. Harrington Drive, Fullerton, California 92831, on July 15, 2009.

Dated: July 15, 2009



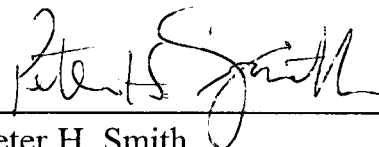
PETER H. SMITH

**CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR §2.198**

Mark: MESSAGE IN A BOTTLE  
Registration No.: 2,243,269  
Opposition No.: 91162780  
Mailing Date: July 15, 2009  
Name of party filing paper: Message In A Bottle, Inc.  
Type of paper being filed: Notice of Reliance

Express Mail Mailing Label Number: *EH 753264096 US*  
Date of Deposit: July 15, 2009

I hereby certify that the above-identified Notice of Reliance, which is attached, is being deposited on July 15, 2009, with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §2.198 in an envelope addressed to: U.S. Patent & Trademark Office, Trademark Trial & Appeal Board, P. O. Box 1451, Alexandria, VA 22313-1451.

  
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Peter H. Smith  
Date: July 15, 2009